

CRISTINA C. ARGUEDAS, SB #87787
TED W. CASSMAN, SB #98932
ARGUEDAS, CASSMAN & HEADLEY
803 Hearst Avenue
Berkeley, CA 94710
Telephone: 510-845-3000
Facsimile: 510-845-3003

MICHAEL RAINS, SB #91013
RAINS, LUCIA & WILKINSON, LLP
2300 Contra Costa Blvd., Suite 230
Pleasant Hill, CA 94523
Telephone: 925-609-1699
Facsimile: 925-609-1690

10

11

Case No.: CR 07-0732 SI

DECLARATION OF ALLEN RUBY CONCERNING INQUIRY INTO POTENTIAL CONFLICT OF INTEREST

17

18

19

21

22

23

2.4

28

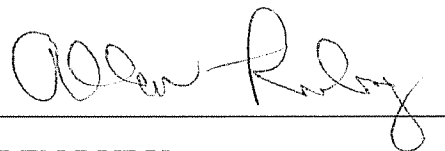
1 approximately April 22, 2005, and continued through May 23, 2005. My records show that
2 I performed no additional services for Dr. Ting after May 23, 2005, until April 13, 2006,
3 when another subpoena was served on him. I may have accepted service of the subpoena on
4 his behalf, but I am not sure. Thereafter Dr. Ting was represented solely by his long-time
5 attorney, Mr. Dan Alberti, of McDermott, Will & Emery. My billing records show that the
6 last services I performed for Dr. Ting were on April 14, 2006 when I talked to Mr. Alberti
7 and sent a letter to Dr. Ting, which I believe confirmed that I would not be representing him
8 going forward.

9 5. Before I was retained by Mr. Bonds in the present case, I informed him that I
10 had previously represented Dr. Ting. I also informed Mr. Bonds of his right to seek
11 independent legal advice in connection with any conflict of interest issues.

12 6. It is my understanding that Mr. Bonds has received independent legal advice
13 from Mr. Michael Rains concerning my prior representation of Dr. Ting.

14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct.

16 Executed this 2nd day of January at San Jose, California.

17 
18

19 ALLEN RUBY

20 I:\Bonds\P\Ruby Decl.doc